

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

ANGELA LACKEY

PLAINTIFF

V.

NO. 1:19CV00145-JMV

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ON PETITION FOR ATTORNEY FEES

Before the Court are Plaintiff's motion [21] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and Defendant's response [22].

In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment [19] dated July 21, 2020, this Court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney fees in the amount of \$6,080.00 for 30.4 hours of attorney time before this Court on the grounds that Plaintiff was the prevailing party and the Commissioner's position was not "substantially justified." The Commissioner does not oppose the requested award.

The Court, having thoroughly considered the parties' submissions and the applicable law, finds the requested award is reasonable; and no special circumstance would make the award unjust. Consistent with *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010), however, the check should be made payable to Plaintiff.

THEREFORE, IT IS ORDERED that the Commissioner shall promptly pay to Plaintiff \$6,080.00 for the benefit of her counsel.

This 9th day of October, 2020.

/s/ Jane M. Virden
U.S. MAGISTRATE JUDGE